

(B) ADMINISTRATION OF PAYMENTS.

(1) THE RESTITUTION OBLIGOR SHALL MAKE RESTITUTION TO THE DIVISION OR THE DEPARTMENT OF JUVENILE JUSTICE UNDER THE TERMS AND CONDITIONS OF THE JUDGMENT OF RESTITUTION.

(2) THE DIVISION OR THE DEPARTMENT OF JUVENILE JUSTICE:

(I) SHALL KEEP RECORDS OF PAYMENTS OR RETURN OF PROPERTY IN SATISFACTION OF THE JUDGMENT OF RESTITUTION;

(II) SHALL FORWARD PROPERTY OR PAYMENTS IN ACCORDANCE WITH THE JUDGMENT OF RESTITUTION AND PART I OF THIS SUBTITLE TO:

1. THE VICTIM;
2. THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR OTHER GOVERNMENTAL UNIT; OR
3. THE THIRD-PARTY PAYOR; AND

(III) MAY REQUIRE THE RESTITUTION OBLIGOR TO PAY ADDITIONAL FEES NOT EXCEEDING 2% OF THE AMOUNT OF THE JUDGMENT OF RESTITUTION TO PAY FOR THE ADMINISTRATIVE COSTS OF COLLECTING PAYMENTS OR PROPERTY.

(C) FAILURE TO MAKE RESTITUTION.

(1) WHENEVER A RESTITUTION OBLIGOR FAILS TO MAKE RESTITUTION AS ORDERED, THE DIVISION OR THE DEPARTMENT OF JUVENILE JUSTICE SHALL NOTIFY THE COURT.

(2) THE COURT MAY HOLD A HEARING TO DETERMINE WHETHER THE RESTITUTION OBLIGOR IS IN CONTEMPT OF COURT OR HAS VIOLATED THE TERMS OF THE PROBATION.

(3) IF THE COURT FINDS THAT THE RESTITUTION OBLIGOR INTENTIONALLY BECAME IMPOVERISHED TO AVOID PAYMENT OF THE RESTITUTION, THE COURT MAY FIND THE DEFENDANT OR CHILD RESPONDENT IN CONTEMPT OF COURT OR IN VIOLATION OF PROBATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 807(b) through (d).

In subsection (a)(1)(i) of this section, the reference to a juvenile delinquency "proceeding" is substituted for the former reference to a juvenile delinquency "case" to conform to the terminology used throughout this title.

In subsection (b)(2)(iii) of this section, the reference to the authority of the Division or the Department of Juvenile Justice to "require the restitution obligor to pay additional fees" is substituted for the former reference to the authority to assess fees that "shall be paid by the defendant or liable parent" for brevity.